FINDINGS OF FACT AND CONCLUSIONS OF LAW

.

The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 415A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a recreational vehicle to be stored in the tront yard, 8-1/2 ft. behind the lateral projection of the front foundation line of the dwelling, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners have filed a Petition for a Residential Variance on the subject property, known as 6829 Westridge Road, zoned D.R. 5.5, and same having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioners are requesting permission to store their recreational vehicle in the front yard in lieu of the side yard, 8-1/2 ft. behind the lateral projection of the front foundation line of their dwelling which is improved with a single family detached home.

The Petitioners have filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public.

In the opinion of the Zoning Commissioner, it is established that the information and alfidavits provide sufficient evidence and tacts that the proposed variance request would comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in a practical difficulty and/or unreasonable hardship upon the Petitioners. Based upon the information available, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15^{18} day of $\frac{402.1}{1991}$, 1991 that the Petition for a Zoning Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a recreational vehicle to be stored in the front yard, 8-1/2 ft. behind the lateral projection of the front foundation line of the dwelling, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein.

> 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

cc: Peoples Counsel

ORDER RECEIVED FOR FILLIP

AFFIDAVIT

Reltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiamt(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) 1) The property at 6829 Westridge Road has a deck that comes up to the driveway. This prevents us from using the required set back of eight feet behind the front of the house.

1) If the RV is kept on the driveway it will free up a parking space on the street and it will also prevent the RV from being

vandalized. 3) After checking Several places in the area we could not find an available storage space for RV'4.

That Affiant(n) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

RECEIVED FOR FILING

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

Earlie and Linda Towe Jr. 6129 Westridge Road Baltimore, Maryland 21207

ZONING DESCRIPTION

(6829 Westridge Road)

Beginning for the same at a point on the southeasterly side of westridge Road as laid out 50 feet wide located 690.55 feet Northerly as measured along said southeasterly side from the intersection formed by the extensions of the East side of Westridge Road and the North side of Byfield Road and running thence binding on the Southeasterly side of Westridge Road North 43 degrees 48 minutes 00 seconds East 50.00 feet thence South 46 degrees 12 minutes 00 seconds west 130.00 feet to the place of beginning; the improvements thereon being known as 6829 Westridge Road; and containing 6500.00 square feet more or less; subject to a five foor easement reservation along the 3rd and 4th lines of this description. Being degisnated as LOT NO. 113 on the Plat of section 2 Campfield Gardens recorded among the land records of Baltimore County in Plat Book G.L.B. No. 18, folio 42.

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	CERTIFICATE OF POSTING 91- 179-4
	CENTIFICATE OF POSTING 7/7 7/7 // ZOHING DEPARTMENT OF BALTIMORE COUNTY
	Towns, Maryland
	District Date of Posting A. Asha L. 15, 19.
	Posted for:
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	Location of property:
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Doto .	Posted by Signal Busher of Signal Busher County Zoning Commissioner County Office Building 111 West Chesapeake Avenue Toursen, Maryland 21294
Date	Baltimore County Zoning Commisioner County Office Building 111 West Cheespeake Avenue
Date	Punber of Signa: Bultimore County
	Posted by Bultimore County Zoning Commissioner County Office Building 121 West Cheespeaks Avenue Towness, Maryland 21298 3/04/71 H7100334
Poto	Posted by Busine Date of return:
	Baltimore County Zoning Commissioner County Office Building 111 West Cheespeaks Avanue Tower, Maryland 11204 PUBLIC HEARING FEES 010 - ZONING VARIANCE (IRL) 080 - POSTING SIGNS / ADVERTISING 1 x \$25.00 TOTAL : \$50.00
Dote:	Baltimore County Zoning Commisioner County Office Building 111 West Cheespeaks Avenue Townen, Maryland 21294 PUBLIC HEARING FEES 01 Y FPICE 010 -ZONING VARIANCE (IRL) 1 X \$35.00 080 -POSTING SIGNS / ADVERTISING 1 X \$25.00
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Baltimore County Government Zoning Commissioner
Office of Planning and Zoning

Enclosed please find the decision rendered in the above captioned

be advised that any party may file an appeal within thirty (30) days of the

additional information concerning filing an appeal, please feel free to

In the event the decision rendered is unfavorable to any party, please

case. The Petition for Residential Variance has been granted, in

date of the Order to the County Board of Appeals. If you require

April 9, 1991

887-3353

111 West Chesapeake Avenue

Mr. and Mrs. Earlie Towe 6829 Westridge Road

Baltimore, Maryland 21207

Dear Mr. and Mrs. Towe:

JRH:mmn

encl.

Case No. 91-344-A

accordance with the attached Order.

contact our Appeals Clerk at 887-3391.

RE: Petition for Residential Zoning Variance

Towson, MD 2120+

ETITION FOR RESIDENTIAL VARIANCE 334

415.A.1 To all	w a recreational vehicle to be	stored in the front yard
in lieu of the side	ard, $8\frac{1}{2}$ ft. behind the lateral	projection of the front
foundation line of t	e dwelling.	
f the Zoning Regulations of Bo	timore County, to the Zoning Law of B stridge Road has a dech that comes nts us from using the required set	Baltimore County, for the following reason up back
2) 14 the RU is kept on	he driveway it will free up a parhi will also prevent the RV from bel	ting : 3_
available Storage Space for	aces in the area we could not find RV's. d end/or posted as prescribed by Zoni	·
I, or we, agree to pay ex of this petition, and further s	enses of the above Variance posting e	and, if necessary, advertising, upon filinging regulations and restrictions of
· · ·	I/Ve (penal: owner:	do solemnly declare and affirm, under the lties of perjury, that I/we are the legal r(s) of the property which is the subject of Petition.
Contract Purchasers	Legal Over	
Type or Print Hame)	Ear (Type or Pa	rite E. & Linda R. Town
Signeture :	Slamtura/	V / ¬
lddress	Time of /Pi	organic Howe
fltý/State/lip tode	Sleeture Sleeture	and Terran
Attorney for Petitioners	***	29 Westridge Rd. 653-9214
(Type or Print Hame)	Address	29 Westridge Rd. 553-9214 Phone 1timore, Md. 21207
SI grature	CIty/State	e/Eip Code
Address	pur chaset	tress and phone number of legal owner, contract or representative to be contacted.
	Earl	lie & Linda Towe
Attorney's telephone number	Name 6829 Reddress	9 Westridge Rd. 653-9214
CHOERED by the Zonleys Counter	west of Beltimore County, this 474 day of	of MARCH, 18 91, that the subject matter of t
petition be posted on the property or	or before the 20 Tiday of MARCH . 19	<u>. 11 - </u>
i	JIM	(5/
	ZONING CO.	OFFISSIONEN OF BALTIMORE COUNTY
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	he accepted, and that the public hearing t	be hed before the Zening Commissioner of Settimore C dey of, 19, et
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	ZOMENU E	COPPLESSIONER OF BALTIPETE COUNTY
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	Baltimore County Government Zoning Commissioner Office of Planning and Zoning	
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111 West Chesapeake Avenue Towson, MD 21204		887
	March 12, 1991	
Earlie and Linda Towe		
6829 Westridge Road		

LOCATION: SE/S Westridge Road, 410' SW of Alter Street 6829 Westridge Road

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before March 20, 1991. The last date (closing date) on which a neighbor may file a formel request for hearing is April 4, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

> 3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

(301) 887-3391

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Lowson, MD 21204

887-3353

March 26, 1991

Mr & Mrs. Earlie E. Towe 6829 Westridge Road Baltimore, MD 21207

> RE: Item No. 334, Case No. 91-344-A Petitioner: Earlie E. Towe, et ux Petition for Zoning Variance

Dear Mr. & Mrs. Towe:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

BALTIMORE COUNTY, MARYLAND

DATE: April 22, 1991

INTER-OFFICE CORRESPONDENCE

In reference to the Petitioner's request, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the

Zoning Plans Advisory Committee

JED:jw

Enclosures

Alkih 4th 91 34

comments.

PK/JL/cmm

ITEM334/ZAC1

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue 98 4353 Towson, MD 21204

Your petition has been received and accepted for filing this 4th day of March, 1991.

> J. ROBERT HAINES ZONING COMMISSIONER Received By:

Zoning Plans Advisory Committee

Petitioner: Earlie E. Towe, et ux

Petitioner's Attorney:

Baltimore County Government -Tire Department TOO East Joppa Read State Out Towson, MD 21204 8800

MARCH 26, 1991

-G0[138] 500

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

RE: Froperty Owner: EARLIE F. TOWE Location: #6829 WESTRIDGE ROAD

Item No.: 334 Zoning Agenda: MARCH 19, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

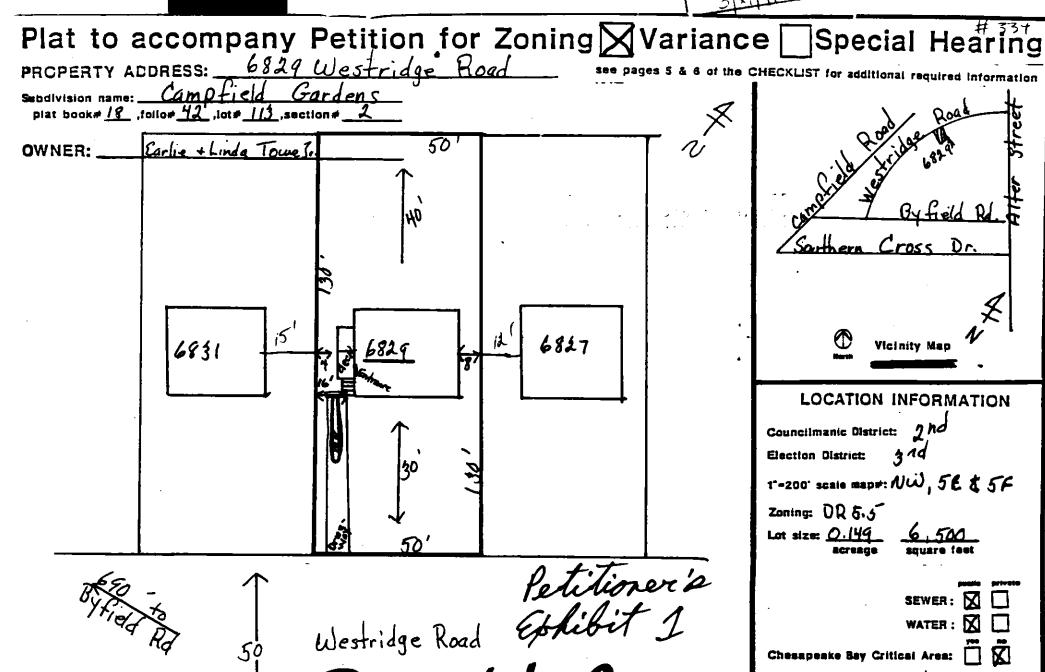
Planning Group

REVIEWER: Approved

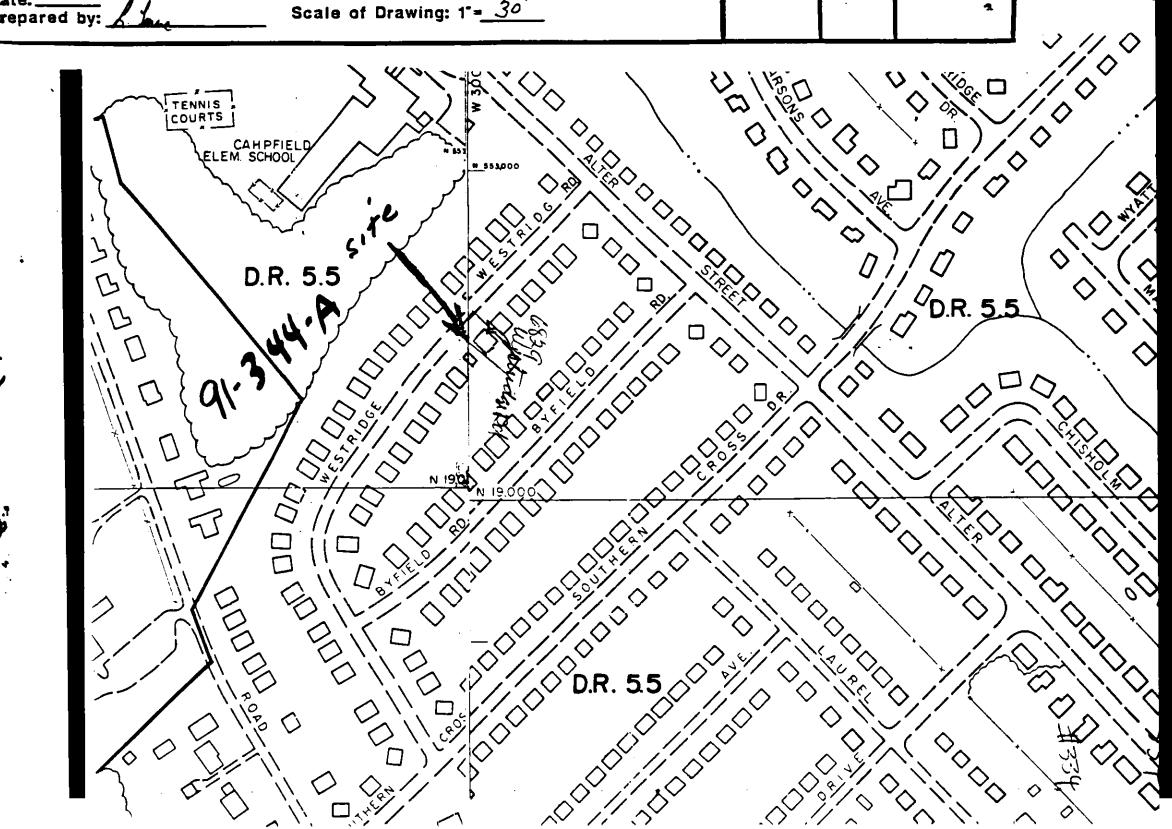
Fire Prevention Bureau Special Inspection Division

JK/KEK

Zoning Office USE ONLY!



91-344-A Bacto. Md. 21207



BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 14, 1991 FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for March 19, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 327, 334, 335, 336, 338, 339 and 345.

For Item 337, a County Review Group Meeting may be required for these additions.

For Item 342, a County Review Group Meeting is required for this site.

For Item 343, the previous minor subdivision comments supplied for this site will apply.

> ROBERT W. BOWLING, F.E., Chief Developers Engineering Division

RWB:s





PETITIONER'S EXHIBIT # 2

received

J. Robert Haines Zoning Commissioner

Office of Planning at 887-3211.

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Earlie E. and Linda R. Towe, Item No. 334